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RUEKJCS/SECDEF WASHDC
RUEKJCS/JOINT STAFF WASHDC
RUEHGV/USMISSION GENEVA 1067
RUEHVEN/USMISSION USOSCE 3091
RUCNDT/USMISSION USUN NEW YORK 2477
RUEHNO/USMISSION USNATO BRUSSELS BE
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C O N F I D E N T I A L SECTION 01 OF 02 BISHKEK 001039

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [PINR](#) [KG](#)

SUBJECT: A/S KRAMER DISCUSSES HUMAN RIGHTS IN KYRGYZSTAN

REF: A. BISHKEK 1017

[1](#)B. BISHKEK 1038

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Classified By: Ambassador Tatiana C. Gfoeller for Reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: During an October 3-4 visit to Kyrgyzstan, Assistant Secretary for Democracy, Human Rights, and Labor David Kramer reviewed human rights developments and legislative initiatives with the Kyrgyz government and civil society representatives. During meetings with A/S Kramer, the Ombudsman and civil society warned of significant backsliding on the part of the Bakiyev regime. Although critical of Kyrgyz government moves, few contacts identified any significant measures that would steer Kyrgyzstan towards a steadier democratic path. End Summary.

DEMOCRACY IMPLEMENTERS EXPRESS CONCERNS

[1](#)2. (C) During lunch with A/S Kramer, the heads of the International Republican Institute, the National Democratic Institute, Freedom House, the International Foundation for Electoral Systems, and the Eurasia Foundation expressed concerns about Kyrgyzstan's faltering democracy. They cited the refusal of the Central Election Commission (CEC) to accredit foreign observers, restrictive new laws on assembly and religion, and disappearing public figures as evidence of the government's uneasiness and intensified antipathy toward democratic opposition. (Note: Former CEC Chair Klara Kabilova is apparently in hiding - see Ref A, and an opposition Parliamentarian is missing. End note.) Asked how the U.S. could be more assertive on democracy in Kyrgyzstan, A/S Kramer noted the difficulty in using "carrots" effectively against regimes that are corrupt, and asked his interlocutors what "sticks" might be effective. They cited the U.S. response to the 2005 events in Andijon, Uzbekistan, as an example of a strong response, but agreed with A/S Kramer that finding graduated responses for the gray areas between corrupt elections and massacres was not easy.

OMBUDSMAN ON ACHIEVEMENTS...

¶3. (C) During a meeting with A/S Kramer, Kyrgyz Ombudsman Tursunbek Akun highlighted his Office's achievements, but expressed concern that recent government actions obstructed citizens' freedoms. He also touted Kyrgyzstan's recent successes in the realm of human rights, to include the abolition of capital punishment, continued efforts to make the criminal code more humane, and developments in Parliament toward the adoption of the optional Protocol on Torture.

...AND CHALLENGES

¶4. (C) Akun noted that the recently passed laws on assembly and television and radio broadcasting were clear signs that the government was backsliding on the protection of basic human rights and freedoms. Akun spoke of his presentation at the Human Dimension Implementing Meeting in Warsaw, where he highlighted these and other backward steps by the Bakiyev government that aimed to curb citizens' freedoms. Unable to abide by its commitments to international agreements and conventions, Akun argued that Kyrgyzstan may be forced to cancel them. As an example, he cited Kyrgyzstan's decision to hand over refugees to the Uzbek government, a clear violation of UNHCR Conventions to protect refugees.

NGO LEADERS CRITICAL OF GOVERNMENT AND OPPOSITION

¶5. (C) Civil society leaders briefed A/S Kramer on political

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dynamics in Kyrgyzstan. The American Bar Association's Central European and Eurasian Law Initiative's Azamat Kerimbayev noted the inability of politicians to address the public's concerns about food and energy. Both he and the Coalition for Democracy and Civil Society's Dinara Oshurahunova relayed rumors about upcoming Constitutional changes that would enable President Bakiyev to stay in office longer. While both questioned the opposition's ability to challenge such efforts, Oshurahunova also doubted the government's political will to achieve such changes. She also encouraged the U.S. to postpone the Millennium Challenge Corporation (MCC) program until the government instituted sweeping judicial sector reforms.

OPPOSITION VIEWS

¶6. (C) Two key opposition leaders expressed concerns about government backsliding on democracy and human rights, but vowed to continue demands for social and political reforms. Former Parliamentarian Omurbek Tekebayev, leader of the Ata Meken Party, opined that Kyrgyz citizens liked the "Western, traditional" model of democracy. However, he continued, "managed democracy," which promoted economic growth and seemed successful in Russia and Kazakhstan, is "what the people want now." Reflecting on human rights, Tekebayev noted that Kyrgyzstan offered more freedom than its neighbors, but lamented a serious slide backwards compared to the situation in Kyrgyzstan four years ago.

¶7. (C) Former Parliamentarian Temir Sariyev, leader of the Ak-Shumkar party, noted that the government continued to stifle democratic freedoms. Sariyev said that the television broadcasting law would stifle all opposition voices in the media. He viewed the draft law on political parties, which would require the listing of core party members throughout the country, as an effective tool to identify targets for harassment or political pressure. Existing U.S. political and military influence in Kyrgyzstan was not sufficient to stop the backsliding, Sariyev argued. He encouraged the U.S. to mimic Chinese or Russian economic influence by supporting

energy initiatives or job creation projects.

OPPOSITION LEADERS OPPOSE MCC

¶8. (C) A/S Kramer asked the politicians if the MCC program could influence the reforms process. Tekebayev said that ten years ago, when the state budget was \$150 million, ex-President Akayev would have welcomed the assistance. Now, he added, \$16 million is not significant enough for senior politicians. Tekebayev said that reforms in the judicial or law enforcement sectors would interfere with the activities of the political elite. Sariyev also saw the MCC program as a mistake, claiming that the "American taxpayers' money is lost to corrupt government practices."

COMMENT

¶9. (C) Democracy implementers, local NGOs, civil society representatives and opposition politicians uniformly expressed concerns about the Bakiyev regime's backward steps in the realm of human rights and democracy. Despite some criticism of the MCC's potential impact, A/S Kramer's interlocutors were not able to supply specific recommendations on new ways to engage the Kyrgyz government on democracy and human rights issues.

¶10. (U) A/S Kramer has cleared this cable.
GFOELLER